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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DALE B. SCHENK

Application No.: 09/724,940

Filed: November 28, 2000

For: PREVENTION AND TREATMENT
OF AMYLOIDOGENIC DISEASE

Examiner: Not yet assigned

Art Unit: 1771

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/322,289, filed May 28, 1999 (Attorney Docket No. 15270J-004740US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Submitted herewith as reference 144 is a copy of a grant application believed to have been submitted by Victor Raso for NIH Grant 1 R43 AGI 5746-01 on August 29, 1997. Applicants obtained the grant proposal under the Freedom of Information Act (FOIA). It is believed that the grant proposal would not have been accessible under FOIA before April 2, 1998, but the exact date of public accessibility, if any, is not known to applicants.

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"Grant Application; Raso, Immunology of Alzheimer's Disease', 1/1998," cited by the Examiner in Application No. 09/579,690, is submitted herewith as cite no. 304. Application No. 09/579,690 is a commonly owned copending application directed to related subject matter. Applicant believes "1/1998" is not the publication date as alleged by the Examiner, but refers to the grant funding cycle. Applicant further believes the date of public accessibility, if any, is unknown.

The Assignee of the instant application is a licensee of U.S. Patent No. 5,688,651, which is directed in part to subject matter related to the instant application. U.S. Patent No. 5,688,651 is now undergoing examination reissue as Application No. 09/441,140. U.S. Patent No. 5,688,651 and U.S. Application No. 09/441,140 are submitted herewith as references 16 and 283, respectively.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98;
09/497,553 filed 02/03/00;
09/724,477 filed 11/28/00;
09/723,927 filed 11/28/00;
09/723,762 filed 11/28/00;
09/724,102 filed 11/28/00;
09/724,489 filed 11/28/00;
09/322,289 filed 05/28/99;
09/723,713 filed 11/27/00;
09/723,760 filed 11/27/00;
09/724,319 filed 11/27/00;
09/723,384 filed 11/27/00;
09/724,495 filed 11/27/00;
09/580,015 filed 05/26/00;
09/724,940 filed 11/28/00;
09/724,961 filed 11/28/00;
09/580,018 filed 05/26/00;

09/724,552 filed 11/28/00;
09/723,544 filed 11/28/00;
09/724,273 filed 11/28/00;
09/724,551 filed 11/28/00;
09/724,288 filed 11/28/00;
09/580,019 filed 05/26/00;
09/723,765 filed 11/28/00;
09/724,291 filed 11/28/00;
09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00;
09/724,929 filed 11/28/00;
09/585,817 filed 06/01/00;
09/724,567 filed 11/28/00;
09/724,575 filed 11/28/00;
09/724,953 filed 11/28/00;
09/724,570 filed 11/28/00;
09/585,656 filed 06/01/00;
09/723,766 filed 11/27/00;
09/723,725 filed 11/27/00;
09/579,690 filed 05/26/00;
09/979,701 filed 03/13/01 (U.S. National Stage of PCT/US00/14810 filed
05/26/00);
09/979,952 filed 04/04/02 (U.S. National Stage of PCT/US00/15239 filed
06/01/00); and,
09/980,568 filed 03/12/02 (U.S. National Stage of PCT/US00/15302 filed
06/01/00).

Applicant also cites the following copending application directed to related
subject matter but subject to different assignment:

10/010,942 filed 12/06/01.

Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97;
60/080,970 filed 04/07/98;
60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
60/137,010 filed 06/01/99;
60/137,047 filed 06/01/99; and,
60/136,655 filed 05/28/99.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

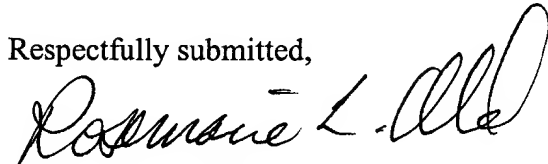
60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00; and,
09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No.

20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted
Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rosemarie L. Celli". The signature is fluid and cursive, with a large, stylized initial "R" and "C".

Rosemarie L. Celli
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP
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RLC:lah

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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 15

Complete if Known

Application Number	09/724,940
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Group Art Unit	1771
Examiner Name	Unassigned
Attorney Docket Number	15270J-004751US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	283	09/441,140		Solomon et al.	11-16-1999	
	282	60/169,687		Chain	N/A	
	295	60/184,601		Holtzman et al.	N/A	
	299	60/186,295		Rasmussen et al.	N/A	
	296	60/254,465		Holtzman et al.	N/A	
	297	60/254,498		Holtzman et al.	N/A	
	300	2001/0018053	A1	McMichael	08-30-2001	
	267	6,294,171	B2	McMichael	09-25-2001	
	234	6,284,221	B1	Schenk, et al.	09-04-2001	
	230	6,262,335	B1	Hsiao et al.	07-17-2001	
	231	6,114,133		Seubert et al.	09-05-2000	
	196	6,150,091		Pandolfo et al.	11-21-2000	
	1	6,057,367		Stamler et al.	05-02-2000	
	221	5,989,566		Cobb et al.	11-23-1999	
	2	5,958,883		Snow	09-28-1999	
	3	5,955,317		Suzuki et al.	09-21-1999	
	4	5,955,079		Mond et al.	09-21-1999	
	5	5,877,399		Hsiao et al.	03-02-1999	
	6	5,869,093		Weiner et al.	02-09-1999	
	7	5,869,054		Weiner et al.	02-09-1999	
	8	5,854,204		Findeis et al.	12-29-1998	
	9	5,851,996		Kline	12-22-1998	
	10	5,849,298		Weiner et al.	12-15-1998	
	11	5,837,473		Maggio et al.	11-17-1998	
	12	5,786,180		Konig et al.	07-28-1998	
	207	5,780,587		Potter	07-14-1998	
	13	5,753,624		McMichael et al.	05-19-1998	
	14	5,750,349		Suzuki et al.	05-12-1998	
	197	5,744,368		Goldgaber et al.	04-28-1998	
	211	5,736,142		Sette et al.	04-07-1998	
	15	5,733,547		Weiner et al.	03-31-1998	
	16	5,688,651		Solomon	11-18-1997	
	17	5,679,348		Nesburn et al.	10-21-1997	
	18	5,645,820		Hafler et al.	07-08-1997	

Examiner
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PA 3147648 v22

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/724,940
				Filing Date	November 28, 2000
				First Named Inventor	Schenk, Dale B.
				Group Art Unit	1771
				Examiner Name	Unassigned
Sheet	2	of	15	Attorney Docket Number	15270J-004751US

19	5,641,474	Hafler et al.	06-24-1997
20	5,641,473	Hafler et al.	06-24-1997
21	5,612,486	McConlogue et al.	03-18-1997
22	5,605,811	Seubert et al.	02-25-1997
23	5,585,100	Mond et al.	12-17-1996
24	5,571,500	Hafler et al.	11-05-1996
25	5,571,499	Hafler et al.	11-05-1996
175	5,441,870	Seubert, et al.	08-15-1995
26	5,434,170	Andrulis, Jr.	07-18-1995
27	5,387,742	Cordell	02-07-1995
181	5,270,165	Van Nostrand et al.	12-14-1993
284	5,231,170	Averback	1993-07-27
28	5,231,000	Majocha et al.	07-27-1993
29	5,220,013	Ponte et al.	06-15-1993
30	5,208,036	Eppstein et al.	05-04-1993
31	5,192,753	McGeer et al.	03-09-1993
32	5,187,153	Cordell et al.	02-16-1993
33	5,057,540	Kensil et al.	10-15-1991
198	5,004,697	Pardridge	04-0201991
34	4,666,829	Glennner et al.	05-19-1987

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁸
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	35	EP	911 036	A2		04-28-1999		
	36	EP	868 918	A2		10-07-1998		
	37	EP	863 211	A1		09-09-1998		
	38	EP	845 270	A1		06-03-1998		
	39	EP	782 859	A1		07-09-1997		
	40	EP	683 234	A1		11-22-1995		
	41	EP	666 080	A1		08-09-1995		
	42	EP	652 962	B1		12-16-1998		
	43	EP	639 081	B1		11-03-1999		
	44	EP	613 007	A2		08-31-1994		
	45	EP	594 607	B1		08-27-1997		
	46	EP	561 087	B1		08-04-1999		
	47	EP	526 511	B1		05-28-1997		
	48	EP	506 785	B1		03-15-2000		

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Substitute for form 1449A/PTO <h2 style="text-align: center; margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; margin: 0;">(use as many sheets as necessary)</p>				Complete if Known		
Application Number		09/724,940				
Filing Date		November 28, 2000				
First Named Inventor		Schenk, Dale B.				
Group Art Unit		1771				
Examiner Name		Unassigned				
Attorney Docket Number		15270J-004751US				
Sheet	3	of	15			

	49	EP	451 700	A1		10-16-1991		
	50	EP	440 619	B1		01-24-1996		
	51	EP	359 783	B1		11-29-1995		
	52	EP	276 723	B1		12-08-1993		Yes
	187	EP	783 104	A1		07-09-1997		
	294	PCT	01/62801	A2		08-30-2001		
	301	PCT	01/62284	A2		03-01-2000		
	298	PCT	01/42306	A2		06-14-2001		
	199	PCT	00/77178	A1		12-21-2000		
	240	PCT	00/43039	A1		07-27-2000		
	188	PCT	00/43049	A1		07-27-2000		
	53	PCT	99/60024	A1		11-25-1999		
	54	PCT	99/60021	A2		11-15-1999		
	55	PCT	99/58564	A1		11-18-1999		
	56	PCT	99/06066	A2		02-11-1999		
	57	PCT	99/27949	A1		06-10-1999		
	58	PCT	99/27944	A1		06-10-1999		
	59	PCT	99/27911	A1		06-10-1999		
	203	PCT	99/00150	A2		01-07-1999		
	60	PCT	98/44955	A1		10-15-1998		
	61	PCT	98/07850	A2		02-26-1998		
	202	PCT	97/21728	A1		06-19-1997		
	62	PCT	97/17613	A1		05-15-1997		
	63	PCT	96/39176	A1		12-12-1996		
	208	PCT	96/28471	A1		09-19-1996		
	64	PCT	96/25435	A1		08-22-1996		
	65	PCT	96/18900	A1		06-20-1996		
	66	PCT	95/31996	A1		11-30-1995		
	200	PCT	95/12815	A1		05-11-1995		
	67	PCT	95/11994	A1		05-04-1995		
	68	PCT	95/11311	A1		04-27-1995		
	227	PCT	95/11008	A2		04-27-1995		
	69	PCT	95/05853	A1		03-02-1995		
	70	PCT	95/04151	A2		02-09-1995		
	201	PCT	94/28412	A1		12-08-1994		
	71	PCT	94/03615	A1		02-17-1994		
	72	PCT	94/01772	A1		01-20-1994		
	73	PCT	93/21950	A1		11-11-1993		
	74	PCT	93/16724	A1		09-02-1993		
	75	PCT	93/15760	A1		08-19-1993		

Examiner Signature	Date Considered
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¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
Sheet		4	of		15
		Application Number		09/724,940	
		Filing Date		November 28, 2000	
		First Named Inventor		Schenk, Dale B.	
		Group Art Unit		1771	
		Examiner Name		Unassigned	
		Attorney Docket Number		15270J-004751US	

76	PCT	93/14200	A1	07-22-1993	
205	PCT	93/04194	A1	03-04-1993	
77	PCT	93/02189	A1	02-04-1993	
78	PCT	92/13089	A1	08-06-1992	
79	PCT	92/06708	A1	04-30-1992	
80	PCT	92/06187	A1	04-16-1992	
81	PCT	91/19810	A1	12-26-1991	
82	PCT	91/16819	A1	11-14-1991	
83	PCT	91/12816	A1	09-05-1991	
84	PCT	91/08760	A1	06-27-1991	
85	PCT	90/12871	A1	11-01-1990	
86	PCT	90/12870	A1	11-01-1990	
87	PCT	89/01343	A1	02-23-1989	
88	PCT	89/06242	A1	07-13-1989	
89	PCT	89/06689	A1	07-27-1989	
90	PCT	89/03687	A1	05-05-1989	
91	PCT	88/10120	A1	12-29-1988	
92	GB	2 220 211	A	01-04-1990	
93	GB	2 335 192	A	09-15-1999	

Examiner Signature	Date Considered
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PA 3244115 v1

PA 3243895 v22

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
Sheet	5	of	15	Application Number	09/724,940
				Filing Date	November 28, 2000
				First Named Inventor	Schenk, Dale B.
				Group Art Unit	1771
				Examiner Name	Unassigned
				Attorney Docket Number	15270J-004751US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	94	ANDERSEN et al., "Do nonsteroidal anti-inflammatory drugs decrease the risk for Alzheimer's disease?," <u>Neurology</u> , 45:1441-1445 (1995).	<input type="checkbox"/>	
	95	Associated Press, "Immune cells may promote Alzheimer's, a study finds," <u>The Boston Globe</u> (4/13/95).	<input type="checkbox"/>	
	176	BARD et al., "Peripherally administered antibodies against amyloid β -peptide enter the central nervous system and reduce pathology in a mouse model of Alzheimer disease," <u>Nature Medicine</u> , 6(8):916-919 (2000).	<input type="checkbox"/>	
	228	BARROW, et al., "Solution Conformations and aggregational Properties of Synthetic Amyloid Beta-Peptides of Alzheimer's Disease. Analysis of Circular Dichroism Spectra" <u>J. Mol. Biol.</u> , 225(4): 1075-1093 (1992).		
	96	BAUER et al., "Interleukin-6 and α -2-macroglobulin indicate an acute-phase state in Alzheimer's disease cortices," <u>FEBS Letters</u> , 285(1):111-114 (1991).	<input type="checkbox"/>	
	239	BEASLEY, "Alzheimer's traced to proteins caused by aging," Reuters, April 20, 2001 7:56 PM ET.		
	204	BERCOVICI et al., "Chronic Intravenous Injections of Antigen Induce and Maintain Tolerance in T Cell Receptor-Transgenic Mice," <u>Eur. J. Immunol.</u> , 29:345-354 (1999).		
	212	BICKEL et al., "Site Protected, Cationized Monoclonal Antibody Against Beta Amyloid as a Potential Diagnostic Imaging Technique for Alzheimer's Diseases," <u>Soc. for Neuroscience Abstracts</u> 18:764 (1992).		
	97	BLASS, John P., "Immunologic Treatment of Alzheimer's Disease," <u>New England J. Medicine</u> , 341(22):1694 (1999).	<input type="checkbox"/>	
	98	BODMER et al., "Transforming Growth Factor-Beta Bound to Soluble Derivatives of the Beta Amyloid Precursor Protein of Alzheimer's Disease," <u>Biochem. Biophys. Res. Comm.</u> , 171(2):890-897 (1990).	<input type="checkbox"/>	
	99	BORCHELT et al., "Accelerated Amyloid Deposition in the Brains of Transgenic Mice Coexpressing Mutant Presenilin 1 and Amyloid Precursor Proteins," <u>Neuron</u> , 19: 939-945 (1997).	<input type="checkbox"/>	
	100	BORIS-LAWRIE et al., "Recent advances in retrovirus vector technology," <u>Cur. Opin. Genet. Develop.</u> , 3: 102-109 (1993).	<input type="checkbox"/>	
	101	BRICE et al., "Absence of the amyloid precursor protein gene mutation (APP717 : Val->Ile) in 85 cases of early onset Alzheimer's disease," <u>J. Neurology, Neurosurg. Psychiatry</u> , 56:112-115 (1993).	<input type="checkbox"/>	
	285	CAPUTO et al., "Therapeutic approaches targeted at the amyloid proteins in Alzheimer's disease," <u>Clin. Neuropharm.</u> , 15:414A-414B (1992).		
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				Filing Date	November 28, 2000
				First Named Inventor	Schenk, Dale B.
				Group Art Unit	1771
				Examiner Name	Unassigned
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				First Named Inventor	Schenk, Dale B.
				Group Art Unit	1771
				Examiner Name	Unassigned
Sheet	12	of	15	Attorney Docket Number	15270J-004751US

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		First Named Inventor	Schenk, Dale B.
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